

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 30, 2008 has been entered.

Allowable Subject Matter

Claims 1-6 are allowed.

The following is an examiner's statement of reasons for allowance:

The present application is directed to a two-pump system with switching valve connected to the discharge lines of each pump as taught in the prior art by, for example, Aoyama, US 5,199,854. It is known in the art to control the switching valve based on a variety of external factors, such as temperature, pressure and pump rotational speed- all of which are discussed in Aoyama. However, the present application makes a nonobvious improvement over the closest prior art of Aoyama in that it uses the rotational speed and pressure sensors in such a manner as to maintain the pump combination on a maximum horsepower curve shown in fig. 2. This is achieved by switching the switching valve from a connected to disconnected state between the two pump outputs based on a pressure value or rotational speed that corresponds to the

changeover portion between operation modes and switching back from disconnected to connected based on the other of the two that was not used as the trigger for the switch from connected to disconnected.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK HAMO whose telephone number is (571)272-3492. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on 571-272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Art Unit: 3746

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devon C Kramer/
Supervisory Patent Examiner, Art
Unit 3683

/Patrick Hamo/
Patent Examiner, AU 3746